

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMALGAMATED TRANSIT UNION
and AMALGAMATED TRANSIT
UNION, LOCAL 836,

Case No. 1:15-cv-855

Plaintiffs,

HON. JANET T. NEFF

v

INTERURBAN TRANSIT
PARTNERSHIP d/b/a THE RAPID,

Defendant.

_____ /

PRELIMINARY INJUNCTION

Plaintiffs Amalgamated Transit Union (ATU), an international union representing transit and allied workers, and ATU Local 836, a local union that serves as the exclusive representative of all non-supervisory employees of the Defendant Interurban Transit Partnership d/b/a The Rapid (ITP), brought this suit on August 24, 2015 with the filing of a single-count Complaint, alleging, pursuant to 42 U.S.C. § 1983, violations of their rights to freedom of speech and freedom of association under the First Amendment of the United States Constitution (Dkt 1). On August 25, 2015, Plaintiffs filed a Motion for Temporary Restraining Order (Dkt 3), which the Court granted (TRO, Dkt 5). The Court also ordered service on Defendant, a response from Defendant, and noticed the matter for a hearing on August 27, 2015 (*id.*). Defendant filed a response on August 26, 2015 (Dkt 9), to which Plaintiffs filed a reply (Dkt 10). Having the benefit of a more complete record and the oral and written arguments of counsel, the Court determined at the hearing that the balance of factors warranted the issuance of a

Preliminary Injunction during the pendency of this case. Therefore, in accordance with the Court's Bench Opinion:

IT IS HEREBY ORDERED that Plaintiffs' Motion for a Preliminary Injunction (Dkt 3) is GRANTED for the reasons stated on the record, and Defendant is ENJOINED, during the pendency of this case or until further Order of the Court, from "prohibiting or interfering with the distribution of the informational leaflets like the leaflet attached as Exhibit A to the supporting Memorandum of Law in the outside area around the Rapid Central Station, and from imposing discipline on persons for handing out or distributing such informational leaflets to the public."

Date: August 27, 2015

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge